

AO 440 (Rev. 03/08) Civil Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

NORTHERN CALIFORNIA RIVER WATCH

Plaintiff

v.

BAY AREA DIABLO PETROLEUM COMPANY, et al

Defendant

CV 08
)
)
)
)
)

Civil Action No.

1613

Summons in a Civil Action

BZ

To: BAY AREA DIABLO PETROLEUM COMPANY

(Defendant's name)

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Jack Silver, Esquire
Law Office of Jack Silver
P.O. Box 5469
Santa Rosa, CA 95402-5469

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: MAR 25 2008

Richard W. Wieking

Name of clerk of court

[Signature]

Deputy clerk's signature

NEW CIVIL ACTION

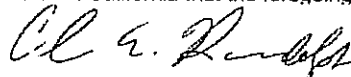
(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Jack Silver, 161575 LAW OFFICE OF DAVID J. WEINSOFF 138 RIDGEWAY AVE FAIRFAX, CA 94930-1210 TELEPHONE NO.: (415) 460-9760 ATTORNEY FOR (Name): Plaintiff	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF United States District Court 450 Golden Gate Avenue San Francisco, CA 94102-3483	
PLAINTIFF/PETITIONER: Northern California River Watch DEFENDANT/RESPONDENT: Bay Area Diablo Petroleum Company dba Golden Gate	CASE NUMBER: Cv-08-01613 BZ
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.: Bay Area Diablo

1. At the time of service I was a citizen of the United States, at least 18 years of age and not a party to this action.
2. I served copies of: Summons, Complaint, Order Setting Initial Case Management Conference and ADR Deadlines (5 pages), Notice of Assignment of Case to U.S. Magistrate, ECF Registration Information Handout
3. a. Party served: Bay Area Diablo Petroleum Company dba Golden Gate Petroleum Company
 b. Person Served: Dennis O'Keefe - Person authorized to accept service of process
4. Address where the party was served: 501 Shell Avenue
 Martinez, CA 94553
5. I served the party
 b. by substituted service. On (date): 6/11/2008 at (time): 2:30 PM I left the documents listed in item 2 with or in the presence of: Jane Doe, BF 40 5'6 170 Blk hr Brn eye:
 (1) (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 (4) A declaration of mailing is attached.
6. The "Notice to the Person Served" (on the summons) was completed as follows:
 c. on behalf of:
 Bay Area Diablo Petroleum Company dba Golden Gate Petroleum Company
 under:
7. Person who served papers
 a. Name: Clarence Randolph
 b. Address: One Legal - 194-Marin
 504 Redwood Blvd #223
 Novato, CA 94947
 c. Telephone number: 415-491-0606
 d. The fee for service was: \$ 61.75
 e. I am:
 (3) registered California process server.
 (i) Employee or independent contractor.
 (ii) Registration No. 822
 (iii) County ALAMEDA
8. I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.
 Date: 6/12/2008

Clarence Randolph

(NAME OF PERSON WHO SERVED PAPERS)

BY FAX

(SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and address) Jack Silver, 161575 LAW OFFICE OF DAVID J. WEINSOFF 138 RIDGEWAY AVE FAIRFAX, CA 94930-1210 ATTORNEY FOR (Name): Plaintiff		TELEPHONE NO. (415) 460-9760		FOR COURT USE ONLY	
Ref. No. or File No. Bay Area Diablo					
Insert name of court, judicial district or branch court, if any: United States District Court 450 Golden Gate Avenue San Francisco, CA 94102-3483					
PLAINTIFF: Northern California River Watch					
DEFENDANT: Bay Area Diablo Petroleum Company dba Golden Gate					
PROOF OF SERVICE BY MAIL				CASE NUMBER: Cv-08-01613 BZ	

I am a citizen of the United States, over the age of 18 and not a party to the within action. My business address is 504 Redwood Blvd #223, Novato, CA 94947.

On 6/12/2008, after substituted service under section CCP 415.20(a) or 415.20(b) or FRCIV.P 4(d)(1) was made, I mailed copies of the:

Summons, Complaint, Order Setting Initial Case Management Conference and ADR Deadlines (5 pages), Notice of Assignment of Case to U.S. Magistrate, ECF Registration Information Handout

to the person to be served at the place where the copies were left by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at Oakland, California, addressed as follows:

Bay Area Diablo Petroleum Company dba Golden Gate Petroleum Company
 Dennis O'Keefe
 501 Shell Avenue
 Martinez, CA 94553

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

\$ 61.75

Lee Major
 One Legal - 194-Marin
 504 Redwood Blvd #223
 Novato, CA 94947

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct and that this declaration was executed on 6/12/2008 at Oakland, California.

Lee Major

Lee Major

FF# 6663875